

ORIGINAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

IN RE: TRI-STATE CREMATORIAL LITIGATION) MDL DOCKET NO. 1
This relates to all actions.) *D.3mz*
OCT 14 2003

LUTHER D. THOMAS, Clerk

Deputy Clerk

BURT FUNERAL HOMES, INC.'S MOTION TO FILE
UNDER SEAL ITS MOTION FOR SUMMARY JUDGMENT,
BRIEF IN SUPPORT OF SUMMARY JUDGMENT (AND EXHIBITS
ATTACHED THERETO), AND STATEMENT OF MATERIAL
FACTS AS TO WHICH THERE IS NO GENUINE ISSUE FOR TRIAL

Submitted by:

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FILED IN CLERK'S OFFICE
U.S. DISTRICT COURT

OCT 14 2003

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

B. Jenkins Clerk
Deputy Clerk

IN RE: TRI-STATE CREMATORIALITIGATION) MDL DOCKET NO. 1467
This relates to all actions.)

BURT FUNERAL HOMES, INC.'S MOTION TO FILE UNDER SEAL
ITS MOTION FOR SUMMARY JUDGMENT, BRIEF IN SUPPORT OF
SUMMARY JUDGMENT (AND EXHIBITS ATTACHED THERETO)
AND STATEMENT OF MATERIAL FACTS
AS TO WHICH THERE IS NO GENUINE ISSUE FOR TRIAL

COMES NOW, Burt Funeral Homes, Inc. (hereinafter "Burt"), Defendant in the above-styled civil action, and hereby files this Motion To File Under Seal its Motion for Summary Judgment, Brief In Support Of Summary Judgment (and exhibits attached thereto), and Statement Of Material Facts As To Which There Is No Genuine Issue For Trial. The Motion for Summary Judgment, Brief in Support (and exhibits), and Statement of Material Facts cite to materials under a Protective Order of this Court. Since the Motion, Brief, and Statement of Material Facts necessarily include the citation to materials under a Protective Order, Burt respectfully prays that this Court allow it to file under seal its Motion for Summary Judgment, Brief in Support of Summary Judgment (and exhibits attached thereto), and Statement of Material Facts as to which there is no Genuine Issue for Trial under seal.

Respectfully submitted this 14th day of October, 2003.

HALL, BOOTH, SMITH & SLOVER, P.C.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served a copy of the within and foregoing **Burt Funeral Homes, Inc.'s Motion To File Under Seal Its Motion for Summary Judgment, Brief In Support Of Summary Judgment (and Exhibits attached Thereto), and Statement Of Material Facts As To Which There Is No Genuine Issue For Trial** upon all parties to this matter by depositing a true copy of same in the United States Mail, in a properly addressed envelope with adequate postage thereon to the counsel of record as follows:

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This ~~10~~ day of October, 2003.

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